

LOUISIANA PUBLIC DEFENDER BOARD



John Bel Edwards
Governor

C. Frank Holthaus
Chairman

Rémy Voisin Starns
State Public Defender

PAUL J. B. L. L. L. L.

February 23, 2021

Ms. Kathleen Allen
Louisiana Ethics Administration Program
Post Office Box 4368
Baton Rouge, Louisiana 70821

Re: Request for Advisory Opinion – Former board member and post-employment

Dear Ms. Allen,

Our request for an ethics advisory opinion concerns whether a former Louisiana Public Defender Board member may contract with a local public defender office to provide criminal defense services to indigent defendants.

In 2007, the Legislature enacted the Louisiana Public Defender Act (Act) which established the Louisiana Public Defender Board as a state agency within the office of the Governor, authorized to regulate the delivery of public defender services throughout Louisiana. The board members are appointed, in part, by the governor (one from each appellate court district); by the chief justice of the Louisiana Supreme Court; and by the Senate president and speaker of the House of Representatives. Pursuant to the Act, the LPDB is authorized to contract with a district defender to provide for the delivery and management of public defender services in each of the 42 judicial districts. The District Defender's responsibilities include, but are not limited to, managing public defender services within the district, hiring and supervising the work of district personnel, and contracting for necessary services.

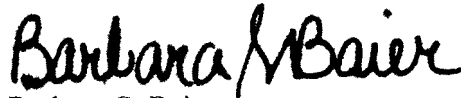
Mr. Moses Williams was appointed to the LPDB by the Chief Justice of the Louisiana Supreme Court to serve a four-year term expiring July 31, 2020. Recently, Mr. Williams expressed an interest in contracting with the District Defender in the 6th Judicial District Public Defender's Office to provide criminal defense services for indigent defendants. While the LPDB is statutorily authorized to hire the local District Defender, the District Defender in each district is responsible for the management and supervision of all district level work.

There seems to be differing opinions as to whether Mr. Williams can contract with the 6th Judicial District Public Defender's Office or if there exists an ethical conflict. Accordingly, out of an abundance of caution, we are requesting your assistance in the form of an advisory opinion.

Ms. Kathleen Allen
February 23, 2021
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Further, if possible, please place this request on the next possible agenda. If you have any questions or comments, you may contact me. Thank you for your help in this matter.

Sincerely,

A handwritten signature in black ink that reads "Barbara G. Baier". The signature is written in a cursive, flowing style.

Barbara G. Baier
General Counsel

BGB/

Kathleen Allen

From: Barbara Baier <BBaier@lpdb.la.gov>
Sent: Tuesday, February 23, 2021 2:28 PM
To: Kathleen Allen
Cc: Rémy Starns
Subject: Request for an advisory opinion - post employment
Attachments: Request for Advisory Ethics Opinion - Moses Williams 02.23.2021.pdf

EXTERNAL EMAIL: Please do not click on links or attachments unless you know the content is safe.

Ms. Allen,
Please see the attached request for an advisory opinion. If you have any questions or comments, please contact me.

Regards,

Barbara Baier

Barbara G. Baier
General Counsel
Louisiana Public Defender Board
301 Main Street, Suite 700
Baton Rouge, LA 70825
(225) 219-9305 ext 211

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EQUAL JUSTICE FOR ALL

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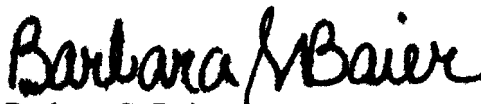
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ETHICS BOARD REC'D
FEB 24 '21 AMS:48

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Page 2

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Barbara G. Baier
General Counsel

BGB/



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